

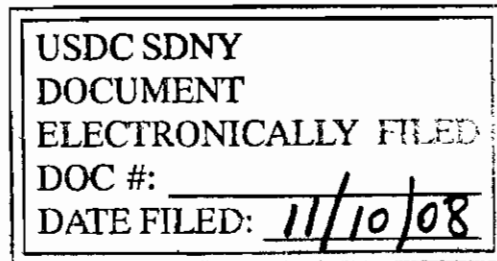
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE STATE STREET BANK AND TRUST)
CO. FIXED INCOME FUNDS INVESTMENT)
LITIGATION)

07 cv 8488
No. 08 MD 1945 (RJH)

This document relates to:)

07 Civ. 9319)
07 Civ. 9687)
08 Civ. 0265)



STIPULATION AND ~~PROPOSED~~ ORDER
EXTENDING TIME TO RESPOND TO COUNTERCLAIM

TO THE HONORABLE COURT:

On August 22, 2008, Plaintiffs Alan Kober, Warren Cohen, John L. Patenaude, Margaret Callan, Alan Gordon, and Glenn Kingsbury (the "Named Plaintiffs"), on behalf of the ERISA plans, and the participants and beneficiaries thereof, filed their Consolidated Amended Complaint.

On October 17, 2008, Defendants State Street Trust & Bank Company and State Street Global Advisors, Inc. answered the Consolidated Amended Complaint and asserted a counterclaim for contribution and/or indemnification against Named Plaintiffs as well as all other unidentified fiduciaries of the Class member Plans ("State Street's Class Counterclaim").

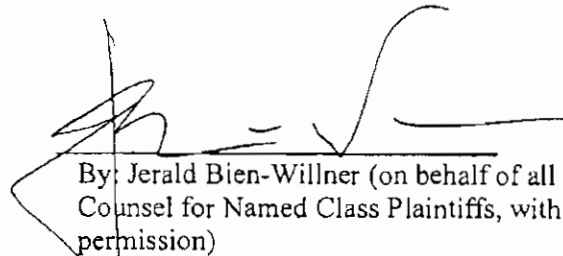
Under the Federal Rules, the Named Plaintiffs' presumptive deadline for answering, moving, or otherwise responding to State Street's Class Counterclaim is November 6, 2008.

The parties have conferred and have agreed to an extension of the deadline as follows.

IT IS HEREBY STIPULATED AND AGREED, as evidenced by the signature of counsel hereto, and subject to Court approval, that:

1. Named Plaintiffs in the above-captioned action shall not be required to move, answer, or otherwise respond to the State Street Class Counterclaim filed in the above-captioned action until November 26, 2008.
2. By entering into this stipulation, Named Plaintiffs do not waive any defenses that otherwise could be asserted through a motion pursuant to Fed.R.Civ.P.12 or otherwise.

Dated: New York, New York
November 3, 2008



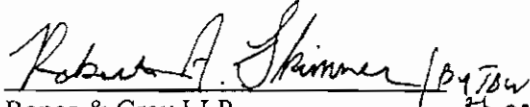
By: Jerald Bien-Willner (on behalf of all
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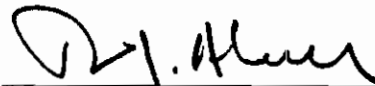
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SO ORDERED this 6 day of November, 2008.


United States District Judge
RICHARD J. HOLWELL